

Addington Downs **565719 158840** **19 December 2012** **TM/12/03635/OA**

Proposal: Application for outline planning permission for the erection of a single 'Lodge' style dwellinghouse with details of landscaping and appearance reserved for future consideration

Location: Sycamore Place Trottiscliffe Road Addington West Malling
Kent ME19 5AZ

Applicant: Mr And Mrs M Bor

1. Description:

- 1.1 The proposal seeks outline planning permission for the erection of a single 'lodge' style dwelling to the front of Sycamore Place. As the application is submitted in outline form only the access, layout and scale are for consideration at this time with landscaping and appearance of the dwelling reserved for future consideration.
- 1.2 An indicative drawing has been submitted showing a dwelling with a gable roof running from side to side. The applicant has suggested that the proposed dwelling would be a 1½ storey dwelling, with a height of between 6 and 7m. The block plan submitted with the application suggests that the dwelling would measure approximately 14.5m by 10m. It would be sited 7m from the front boundary of the site.
- 1.3 Due to levels changes, a retaining wall is proposed along the western boundary.
- 1.4 The applicant is proposing parking for the proposed dwelling adjacent to the access road, set into the banking. The applicant suggests within the Planning Statement that the dwelling would be a two bedroom dwelling.

2. Reason for reporting to Committee:

- 2.1 Called in by a local Member in light of concerns raised by local residents and with concern that the proposal would result in overdevelopment.

3. The Site:

- 3.1 The site lies within the built confines of Addington, on the southern side of Trottiscliffe Road.
- 3.2 The surrounding locality is characterised by a mix of detached dwellings, set within relatively spacious grounds. The dwellings to the south and east are two storey mock-Tudor dwellings. The dwelling to the west of the site is a bungalow, built in the 1970's.

3.3 The site is raised above the level of the road and slopes up north east to south west. The site is currently a front garden to Sycamore Place, grassed over, with a number of trees and includes a shared vehicular access to the host dwelling and Appledene. Formal Notice has been served on Appledene as part of the application.

4. Planning History:

TM/99/00218/FL Grant With Conditions 19 March 1999

variation of condition 6 of permission TM/96/00631/FL to allow removal of 1 no. Sycamore tree

TM/99/00545/RD Refuse 20 May 1999

application for consent to remove 2 sycamore trees and 1 oak pursuant to condition to planning permission TM/96/0631.

TM/06/00997/RD Grant With Conditions 31 May 2006

Variation of condition 6 of planning permission ref. TM/96/00631/FL (two detached dwellings and double garages) to remove 10 no. Conifers

TM/06/02051/FL Grant With Conditions 11 September 2006

Single storey rear extension

TM/13/00103/FL Approved 15 April 2013

Rear and side dormers

5. Consultees:

5.1 PC: Object:

- Scale and appearance – the proposal will result in over intensification of the site. The 'lodge' style dwelling does not compliment surrounding properties;
- This is a low density housing area with most properties in the vicinity enjoying large plots;
- Access – this section of Trottscliffe Road is very dangerous, with poor sight lines and adverse camber, and therefore would not welcome additional traffic exiting and entering the site;

- Parking – the proposal shows one parking space, suggesting that visitors will have to park on the narrow drive or find alternative parking on Trottiscliffe Road, which could be hazardous. Parking and access during the construction works will be problematic;
- The proposal will not safeguard the amenities of neighbouring dwellings. Due to the gradient of the land the neighbouring properties would suffer from overshadowing and loss of light;
- Although permission was granted in 2006 (TM/06/00997/RD) to remove conifer trees on this site, they are not poor quality, and have concerns about the effect that the proposals would have on other trees on the site.

5.2 KCC (Highways): The previous indicative parking space was preferable, as that enabled turning

5.3 Private Reps + (6/6R/0X/0S) + Press Notice (Art 13): 6 letters received from 4 households, objecting on the following grounds:

- Detrimental to rural character of area;
- The construction of the dwelling would significantly undermine the root spread of mature trees on the site;
- Proposed dwelling would overshadow and dominate the adjacent dwellings;
- Noise and disturbance to Appledene Cottage from vehicles accessing the driveway, given that Appledene Cottage is situated at a lower ground level;
- Many smaller trees would need to be removed;
- Site is located on blind bend, with vehicles travelling along the road at higher speeds than the 40mph speed limit, where there have been serious accidents in recent years. An increase in the number of vehicles accessing this stretch of road would be likely to lead to more accidents;
- Highway safety issues would be exacerbated when development is taking place;
- Only one parking space is proposed, which is likely to lead to hazardous parking along Trottiscliffe Road
- Proposal takes no account of different levels;
- The proposed dwelling would result in more traffic movements along the access road, which would result in safety issues with children playing on the access road

- Loss of light to neighbouring properties;
- Loss of privacy;
- Oak trees outside the front of the site may be threatened by the close proximity of the proposed dwelling, which would result in a detrimental impact upon the streetscene;
- Noise and disturbance from traffic movements on private driveway to neighbouring properties;
- The trees shown to be retained on the site would dominate and overshadow the proposed dwelling.

6. Determining Issues:

- 6.1 The application site is located within the confines of Addington village, Policy CP13 of the TMBCS states that new development within the confines of the settlement will be restricted to minor development appropriate to the scale and character of the settlement. Whilst the site is garden land and thus not defined as Previously Developed Land within the NPPF, there is no 'presumption in favour' of development as there would have been under earlier Government policy.
- 6.2 The principle of development of this site is acceptable in terms of the NPPF, but only to the extent defined by Policy CP13 of the TMBCS. Policies CP1 and CP24 of the TMBCS, Policy SQ1 of the MDE DPD and paragraphs 17 and 56 to 66 in the NPPF also require development to be of a high standard of design and to reflect the character of the area.
- 6.3 There is not a consistent pattern of development, design or form to dwellings within this part of Addington. I am of the opinion that the proposed dwelling would not have a detrimental impact on the existing pattern of development. Whilst the site was previously part of a Low Density Residential Area within the Tonbridge and Malling Borough Local Plan 1998, this policy could not be brought forward into the LDF. Nevertheless, I am of the opinion that the proposed arrangements will respect the site and its surroundings.
- 6.4 The site is currently set at a higher ground level than the adjacent access road, and dwellings to the east and south of the site. The applicant has submitted a topographical survey with the application. Details of appearance of the proposed dwelling have been reserved for future consideration, and I am of the opinion that if planning permission is granted it would be appropriate to condition slab levels, to ensure that the proposed development is positioned at a suitable level to respect the surrounding locality. This would necessitate retaining walls for both the house and any parking.

- 6.5 I note the comments raised with respect to the impact of the proposed development on trees. A Tree Survey has been carried out by the applicant, which has established a number of healthy, mature trees on the site, and sets out their root protection zones, and protective fencing to be used within construction. The survey suggests that development of the indicated nature could take place without the need to remove any specimens of high or moderate quality. It is proposed to remove a number of trees of low quality of that I agree it is not appropriate to retain.
- 6.6 Details of appearance have been reserved for future consideration, and once these are submitted they can be considered with respect to impact on the privacy of the adjacent dwelling. However, I am of the opinion that a dwelling in the proposed location could be designed so as to be satisfactory in terms of its impact on the privacy of the adjacent dwelling.
- 6.7 Whilst I note the objections of increasing the use of an existing access, there is no objection from KCC (Highways) in this respect. In terms of parking, IG3 requires 1.5 spaces for a 2 bedroom house, with turning space, to allow vehicles to enter and exit Trottiscliffe Road in a forward direction. The layout plan shows parking for one vehicle, with no turning space. Trottiscliffe Road is a busy classified road, with limited potential for on-road parking. Therefore, I am of the opinion that the applicant should be required to submit a plan showing parking for two cars, and on-site turning, to allow vehicles to enter and exit in a forward gear. Issues relating to contractor parking are not a material planning consideration, but should be the subject of an informative.
- 6.8 In light of the above, I am of the opinion that the proposal is acceptable.

7. Recommendation:

Grant Outline Planning Permission subject to the receipt of satisfactory parking and turning details (approval delegated to DPHEH) and in accordance with the following submitted details: Email dated 19.12.2012, Design and Access Statement dated 19.12.2012, Planning Statement dated 19.12.2012, Block Plan 023/09/01 dated 03.12.2012, Drawing 023/09/03 dated 03.12.2012, Location Plan dated 03.12.2012, Email dated 28.05.2013, Tree Report AR/0151/05-13 dated 28.05.2013, Block Plan tree survey dated 28.05.2013, Block Plan tree protection dated 28.05.2013, Site Survey SPA/1135/1 dated 22.02.2013, subject to:

Conditions

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

2. Approval of details of the layout and appearance of the development, access to and within the site, the landscaping of the site, and the scale of the development (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority.

Reason: No such approval has been given.

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

4. No development shall take place until written details and photographs of all materials to be used externally in the construction of the dwelling have been submitted to and approved by the Local Planning Authority and samples of the materials shall be made available at the site for inspection by Officers of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character of the existing building in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

5. Prior to the commencement of development, details of the existing and proposed levels shall be submitted to and approved in writing by the Local Planning Authority, including the levels of the land surrounding the dwelling hereby consented.

Reason: To ensure that the development does not harm the character of the area in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58, 61 and 137 of the National Planning Policy Framework (2012).

6. The development hereby approved shall be carried out in such a manner as to avoid damage to existing trees (including their root system) or other planting to be retained as part of the approved landscaping scheme by observing the following:
- (a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5 metres beyond the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).
 - (b) No fires shall be lit within the spread of the branches of the trees.
 - (c) No materials or equipment shall be stored within the spread of the branches of the trees.
 - (d) Any damage to trees shall be made good with a coating of fungicidal sealant.
 - (e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.
 - (f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the character of the existing building in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

7. The details submitted pursuant to condition 2 shall include a scheme for the storage and screening of refuse. The approved scheme shall be implemented before the development is occupied and shall be retained at all times thereafter.

Reason: To facilitate the collection of refuse and preserve visual amenity.

8. This permission only grants consent for a two bedroom dwelling.

Reason: In order to secure a satisfactory form of development and in accordance with paragraphs 17, 57, 58 and 61 of the National Planning Policy Framework 2012.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no development shall be carried out within Classes A-H (inclusive) of Part 1 and Class A of Part 2 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: In order to enable the Local Planning Authority to regulate and control further development within this site in the interests of the environment.

Informatives

1. This permission does not purport to convey any legal right to undertake works or development on land outside the ownership of the applicant without the consent of the relevant landowners.
2. During the construction phase, the hours of working (including deliveries) shall be restricted to Monday to Friday 08:00 hours - 18:00 hours. On Saturdays 08:00 to 13:00 hours, with no work on Sundays or Public/Bank Holidays.
3. During the construction phase, construction vehicles should be parked off the public highway and clear of the private access to Appledene, so as to avoid hazardous highway conditions.

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